FILED STATE OF ARIZONA 1 **SEP** 1 3 2006 DEPARTMENT OF INSURANCE 2 DEPT OF INSURANCE In the Matter of 3 Docket No. 06A-184-INS MATTHEW JAMES WORTHEN 4 ORDER SUMMARILY SUSPENDING BAIL BOND AGENT LICENSE 5 AND NOTICE OF OPPORTUNITY FOR HEARING 6 Respondent. 7 8 The Arizona Department of Insurance (the "Department") alleges that Matthew James 9 Worthen has violated provisions of Arizona Revised Statutes ("A.R.S."), Title 20. In light of 10 the serious nature of these allegations, the Director of Insurance for the State of Arizona 11 ("Director") finds that the public health, safety and welfare imperatively require emergency 12 action, within the meaning of A.R.S. §41-1092.11(B). 13 FINDINGS OF FACT 14 1. Matthew James Worthen ("Respondent") is licensed as a bail bond agent. 15 Arizona License Number 202528 which expires on September 30, 2008. 16 2. Respondent's addresses of record with the Department are: c/o Don's Better 17 Bail Bonds, 3116 N. Scottsdale Rd., #B, Scottsdale, Arizona 85251 (business); 13820 S. 44th 18 Street, #1325, Phoenix, Arizona 85044 (residence). 19 2. On May 4, 2006, the insurer holding Respondent's surety bond notified the 20 Department and Respondent that Respondent's bail agent bond was to be cancelled in 30 21 days.

STATE OF ARIZONA

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- 3. On or about June 4, 2006, the insurer holding Respondent's surety bond cancelled Respondent's bail agent bond.
- As of June 4, 2006, the Respondent has not maintained a bond in favor of this State executed by a surety insurer authorized to do business in this State.
- On July 6, 2006, the Department notified Respondent at his business address of 5. record, return receipt requested, that his surety bond had been cancelled.
- 6. The Department's July 6, 2006 letter to Respondent's business address of record was signed by someone at Respondent's business address of record.
  - 7. The public health, safety and welfare imperatively require emergency action.

## **CONCLUSIONS OF LAW**

- 1. The Director has jurisdiction.
- 2. Respondent's conduct constitutes a violation of the requirement that each bail bond agent maintain in force while license a bond in favor of this State executed by a surety insurer authorized to do business in this State, within the meaning of A.R.S. § 20-340.02.
- 3. Grounds exist to order a summary suspension within the meaning of A.R.S. § 41-1092.11(B).

## <u>ORDER</u>

IT IS HEREBY ORDERED THAT:

1. Respondent's license is summarily suspended effective immediately.

DATED AND EFFECTIVE this

13th day of September, 2006.

CHISTINA URIAS

Director of Insurance

## **NOTICE OF OPPORTUNITY FOR HEARING**

Pursuant to Title 20 of the Arizona Revised Statutes, Respondent is hereby notified that Respondent may request a hearing pursuant to A.R.S. § 20-161 to contest the summary suspension. Such request must be in writing and received at the following address within thirty (30) days from the date hereof:

Arizona Department of Insurance 2910 North 44<sup>th</sup> Street, Suite 210 Phoenix, Arizona 85018-7269

Upon receipt of a timely written request for hearing, the Director will issue an order setting the time and place of the hearing.

COPY of the foregoing mailed, return receipt requested, this  $_{13\text{th}}$  day of  $_{\text{Sept.}}$ , 2006, to:

Matthew James Worthen c/o Dons Better Bail Bonds 3116 North Scottsdale Rd., #B Scottsdale, Arizona 85251 Respondent

Matthew James Worthen 13820 S. 44<sup>th</sup> St., #1325 Phoenix, Arizona 85044 Respondent

COPY of the foregoing mailed this <u>13th</u> day of <u>september</u>, 2006, to:

Mary Butterfield, Assistant Director
Mary E. Kosinski, Exec. Asst. – Regulatory Affairs
Steve Fromholtz, Licensing Director
Catherine M. O'Neil, Assistant Director
Arnie Sniegowski, Administrative Investigations
Arizona Department of Insurance
2910 N. 44th Street, Suite 210
Phoenix, Arizona 85018

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Office of the Attorney General
Consumer Protection and Advocacy Section
Agency Unit
1275 W. Washington
Phoenix, Arizona 85007-2997

Curvey Burton